REMARKS

Claims 1-40 stand rejected under 35 U.S.C. 103(a) according to the following table:

Claims 1-4, 30 and 31	Jewett in view of Tonkin
Claims 16, 19 21, 25, 26, 27, 29, and 38	Jewett in view of Tonkin and Lin
Claims 17 and 39	Jewett in view of Tonkin and Lin and Enns
Claims 5, 6, 32 and 33	Jewett in view of Tonkin and Lin and Yuan
Claims 7, 8, 18, 20, 34, 35 and 40	Jewett in view of Tonkin and Lin and Brailean
Claims 9, 10, 14, 15, 23, 24, 36 and 37	Jewett in view of Tonkin and Lin and Awakawa
Claim 11	Jewett in view of Tonkin and Lin and Arakawa and Feuerstraeter
Claims 12 and 13	Jewett in view of Tonkin and Lin and Arakawa and Bose
Claim 22	Jewett in view of Tonkin and Lin and Enns and Brailean and Bashkaran
Claim 28	Jewett in view of Tonkin and Lin and Enns and Harriman

Independent claims 1 and 30

Claims 1 and 30 stand rejected as being unpatentable over Jewett in view of Tonkin. Applicant respectfully disagrees. As the Examiner is aware, in order to make a *prima facie* case for obviousness, "the claimed invention as a whole must be considered" and "the references must be considered as a whole and must suggest the desirability and thus the obviousness of making the combination" (MPEP 2141). Neither Jewett nor Tonkin suggest a desirability in making such a combination of references, and therefore the

combination of Jewett in view of Tonkin would not be obvious to one of ordinary skill in the art at the time of the invention.

Jewett discloses a Storage Area Network. In particular, Jewett discloses "a system architecture for providing block-level access to storage resources...without the need for a central file manager" (paragraph [0009]). Specifically, "a given host computer and storage server can be connected by two networks...as long as one of these networks is functioning properly, the host will be able to establish a logical connection to the block server and execute I/O requests" (paragraph [0010]). Therefore, Jewett seeks to remedy the problem of failures in Storage Area Networks by providing additional network connections between hosts and storage devices.

As the Examiner explains, "Jewett does not teach as in claims 1 and 30 the links between the host, switch and the storage units being serial, the communications architecture supporting control packets and data packets, the control packets and data packets having headers with different formats, the data packets having a variable length, and the steps of supporting of preemption of data packets by control packets." The Examiner relies on Tonkin to supply these deficiencies.

Tonkin describes high speed digital communication for video data signals control. Tonkin seeks to provide a fast and flexible communication and control system for video cameras and other remote devices (paragraph [0007]). Specifically, Tonkin discloses the use of control packets to "control operating features of the video camera such as gain, offset, shutter speed, zoom, focus, and iris aperture" (paragraph [0040]).

The Examiner asserts that one of ordinary skill in the art would be motivated to combine the references of Jewett and Tonkin because "by characterizing packets as control and data packets, by giving higher priority to control packets, by making the headers of control packets and data packets different, one can make a serial

communication based storage area network type of architecture very efficient and relatively inexpensive." Applicant respectfully disagrees.

Jewett discloses that some storage architectures (such as those taught by Jewett) allow "host computers to access the storage resources directly over the network" (eliminating the need for a central file manager within the network architecture) and that "one problem with this type of architecture is that the failure of an input/output request can cause other pending requests from the same host to be delayed" (paragraph [0007]). As discussed above, Jewett solves such problems by providing additional connections between a host and a storage resource. Jewett teaches away from the use of serial communication links between hosts and storage resources. Therefore, one of ordinary skill in the art would not be motivated to incorporate the serial communication links of Tonkin into the architecture of Jewett. Applicant respectfully contends that claims 1 and 30 are patentable over the combination of Jewett in view of Tonkin for at least the reasons stated above, and requests allowance of the claims.

Independent claim 19

Claim 19 stands rejected as being unpatentable over Jewett in view of Tonkin and further in view of Lin. The examiner relies on Lin to provide a disclosure of asymmetric data transfer capabilities between base stations and subscriber terminals in a fixed wireless network. Therefore, Lin does not describe serial communication links between a host device and a data store device within a Storage Area Network, and does not remedy the deficiencies discussed above with respect to the combination of Jewett and Tonkin. Therefore, for at least these reasons, applicant respectfully contends that claim 19 is allowable over the cited art.

Dependent claims 2-18, 20-29, and 31-40

Since claims 2-18, 20-29, and 31-40 depend from claims 1, 19 or 30, they are patentable for at least the reasons stated with respect to the independent claims.

Conclusion

In view of the above remarks, applicant believes the pending application is in condition for allowance.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 50-0665, under Order No. 594728808US1 from which the undersigned is authorized to draw.

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Respectfully submitted,

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